

by Mrs. James Scott. The boy gave me a message from Laura Foster. I was arrested and sent to jail for what I said in jest to Jack Attkins and Ben Ferguson. I had been over into Tennessee and after my return, one evening Ben Ferguson said to me, that he had killed Laura Foster and I replied, "Yes, and Dula killed her and ran away to Tennessee." I told James Melton I had this conversation with Ferguson and Attkins in joke, and he told me not to joke about such a thing. I was arrested two or three weeks after I had made this remark.

I had a fight one day with Anne Melton at Mrs. James Scott's. Anne Melton on that occasion said to me, "You are a drunken fool, you have said enough to Ferguson and Attkins to hang you and Dula." I admitted then that I had said it, but had said it in a joke. I admit that I said on one occasion to George, "I would swear a lie any time for Tom Dula, wouldn't you, George?" I said that also in jest. I have been twice sworn as a witness about this matter, once at Wilksboro and again after the body was found. I deny that I ever told James Melton that it was true I had killed Laura Foster. What I told him I have stated. It is true that I sat in Dula's lap for a blind. One day when a woman came to James Melton's, Dula caught me and pulled me into his lap. I also slept with Dula for a blind at Anne Melton's insistence. I stayed out at the barn one night with him at her request. There were three beds in James Melton's house. The house but a single room. Sometimes when I was sleeping with Anne Melton, Dula would get in bed with us also. James Melton did not sleep with his wife. I did hear old man Wilson Foster say if he could get his mare he did not care what had become of his daughter. I might have told him that I could find his mare for a quart of liquor, if I said so it was in jest. I did suggest to Wilson Foster that maybe a colored man had run away with Laura, and he said he thought it might be so too. I also said that I would sooner have supposed that someone in her neighborhood would have run away with her than Tom Dula.

Direct Examination resumed The reason I said that I suppose perhaps a colored man had run away with Laura, was in consequence of information from others said so as to the others supposition.